



PTO/SB/82 (05-03)

Approved for use through 11/30/2005. OMB 0651-0035

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**REVOCATION OF POWER OF
ATTORNEY OR
AUTHORIZATION OF AGENT**

Application Number	09/954,711
Filing Date	09/18/2001
First Named Inventor	Arthur Zaifman
Art Unit	
Examiner Name	
Attorney Docket Number	HBR-001

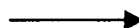
I hereby revoke all previous powers of attorney or authorizations of agent given in the above-identified application:

☒ A power of Attorney or Authorization of Agent is submitted herewith.**RECEIVED**

MAY 28 2003

OR

Technology Center 2100

☐ Please change the correspondence address for the above-identified application to:☐ Customer NumberPlace Customer
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Label here

OR

<input type="checkbox"/> Firm or Individual Name				
Address				
Address				
City				
Country		State		Zip
Telephone		Fax		

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)**SIGNATURE of Applicant or Assignee of Record**

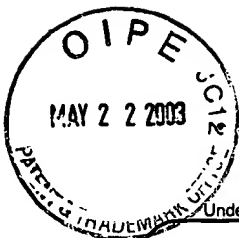
Name	Thomas A. Loureiro		
Signature			
Date	May 19, 2003	Telephone	978-684-1411

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/81 (05-03)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Application Number	09/954,711
Filing Date	09/18/2001
First Named Inventor	Arthur Zaifman
Title	System Resource Availability
Art Unit	
Examiner Name	
Attorney Docket Number	HBR-001

ility
Manager

I hereby appoint:

☒ Practitioners at Customer Number

35557

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

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☐ Practitioners at Customer Number.

OR

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Individual Name

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I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

MAY 28 2003

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SIGNATURE of Applicant or Assignee of Record

Name Thomas A. Loureiro

Signature *Thomas A. Loureiro*

Date MAY 19, 2003

Telephone 978-684-1411

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Execution Copy



PATENT ASSIGNMENT

This PATENT ASSIGNMENT (this "Patent Assignment") is made as of April 14, 2003 by Tenor Networks, Inc., a Delaware corporation ("Assignor").

RECITALS

WHEREAS, pursuant to the Asset Purchase Agreement dated as of April 14, 2003 (the "Agreement") by and between Enterasys Networks, Inc., a Delaware corporation ("Assignee"), and Assignor, Assignor has agreed to transfer certain of its assets, including certain patents and patent applications as identified on Schedule I attached hereto (the "Patents"), to Assignee; and

WHEREAS, Assignee desires to acquire all rights, title and interests in, to and under said Patents.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by Assignor,

1. Assignor hereby conveys, assigns, transfers and delivers to Assignee, its successors and assigns, all rights, title and interests throughout the world in, to and under the Patents, and the underlying inventions described therein and any United States or foreign reissues, divisions, renewals, extensions, provisionals, continuations and continuations-in-part thereof, and substitutes therefor, and all letters patent of the United States which have been or may be granted thereon and all foreign counterparts thereof, together with the right to sue and recover damages for future or past infringements of the Patents and to fully and entirely stand in the place of Assignor in all matters related thereto.

2. Assignor agrees to take, at Assignee's expense, such further reasonable action and to execute such additional documents as may reasonably be necessary to perfect Assignee's title in and to the Patents and all foreign counterparts thereof.


3. Assignor hereby requests the U.S. Commissioner of Patents and Trademarks (the "Commissioner") and the applicable foreign patent authorities to record this Patent Assignment to Assignee. Assignor hereby further requests the Commissioner and the applicable foreign patent authorities to issue any and all letters patent derived from the Patents to Assignee as assignee of the entire interest. Assignor hereby covenants that the Commissioner and the applicable foreign patent authorities have full right to issue any and all patents resulting from applications among the Patents or derived therefrom to Assignee as assignee of interests.

4. This Patent Assignment will be governed by, and construed and enforced in accordance with, the substantive laws of The Commonwealth of Massachusetts, without regard to its principles of conflicts of laws.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the undersigned has caused this Patent Assignment to be executed as of the day and year first written above.

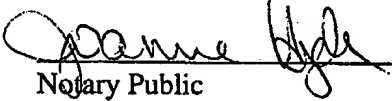
TENOR NETWORKS, INC.

By: 
Name: David Tolwinski
Title: PRESIDENT & CEO

THE COMMONWEALTH OF MASSACHUSETTS

County of Middlesex)

On this the 14th day of April, 2003 before me personally appeared David Tolwinski to me personally known, and known to me to be the person who signed the foregoing assignment, and acknowledged the signing of same as his free act and deed.


Notary Public

My commission expires 1/12/07



SCHEDULE I
TO
PATENT ASSIGNMENT

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MAY 28 2003
Technology Center 2100

U.S. Patent Application No.	Title	File Date
09/684,763	Hierarchical Output-Queued Packet-Buffering System and Method	10/6/2000
09/798,820	High-Speed Data Processing Using Internal Processor Memory Space	3/2/2001
09/954,711	System Resource Availability Manager	9/18/2001
10/123,627	Methods and Apparatus for Improved Failure Recovery of Intermediate Systems	4/16/2002
10/288,243	Methods and Apparatus for Broadcast Domain Internetworking	11/5/2002
10/288,261	Methods and Apparatus for Automated Edge Device Configuration in a Heterogeneous Network	11/5/2002
10/298,243	Methods and Apparatus for Flexible Provision of Differentiated Services in a Packet-Based Network	11/15/2002
10/371,969	Methods for Improved Data Caching	2/21/2003
60/396,884	Methods and Apparatus for Providing Data Services Using Virtual Hierarchical Bridging	7/16/2002
60/435,492	Phantom Root Spanning Tree Across a Full Mesh Core	12/20/2002

Canadian Patent Application No.	Title	File Date
2,388,348	Hierarchical Output-Queued Packet-Buffering System and Method	10/6/2000
2,402,018	High-Speed Data Processing Using Internal Processor Memory Space	3/2/2001



PTO/SB/96 (04-03)

Approved for use through 04/30/2003. OMB 0651-0031

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STATEMENT UNDER 37 CFR 3.73(b)**RECEIVED**Applicant/Patent Owner: Enterasys Networks, Inc.**MAY 28 2003**Application No./Patent No.: 09/954,711 Filed/Issue Date: 09/18/2001Entitled: System Resource Availability Manager**Technology Center 2100**Enterasys Networks, Inc., a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or2. ☐ an assignee of less than the entire right, title and interest.

The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.**OR**B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:1. From: Arthur Zaifman and Stephen Ciavaglia To: Tenor NetworksThe document was recorded in the United States Patent and Trademark Office at Reel 012515, Frame 0932, or for which a copy thereof is attached.2. From: Tenor Networks To: Enterasys Networks, Inc.

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.☒ Copies of assignments or other documents in the chain of title are attached.

(NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Date

May 19, 2003
978-684-1411

Telephone number

Thomas A. Loureiro

Typed or printed name

Signature

VP and Assoc. General Counsel

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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05-23-03

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PTO/SB/21 (03-03)

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/954,711
	Filing Date	Sep. 18, 2001
	First Named Inventor	Arthur Zaifman
	Art Unit	
	Examiner Name	
Total Number of Pages in This Submission	Attorney Docket Number	HBSR-001

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to a Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	New Power of Attorney
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	Statement under 37 CFR 3.73(b) w assn
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	Chris A. Caseiro, Reg. No. 34,304
Signature	
Date	May 21, 2003

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: _____		
Typed or printed		
Signature		Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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